

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On November 29, 2012 State Office Building, Hartford, Connecticut

The State Properties Review Board held its regularly scheduled meeting on November 29, 2012 in the State Office Building.

Members Present: Edwin S. Greenberg, Chairman
Bennett Millstein, Vice Chairman
Bruce Josephy, Secretary
Mark A. Norman
Pasquale A. Pepe
John P. Valengavich

Staff Present: Brian A. Dillon, Director

Chairman Greenberg called the meeting to order.

Mr. Josephy moved and Mr. Millstein seconded a motion to enter into Open Session. The motion passed unanimously.

OPEN SESSION

ACCEPTANCE OF MINUTES OF NOVEMBER 23, 2012. Mr. Norman moved and Mr. Valengavich seconded a motion to approve the minutes of November 23, 2012. The motion passed unanimously.

COMMUNICATIONS

Auditors of Public Accounts Report for the State Properties Review Board. Mr. Dillon reported that the Board has received the final audit report prepared for fiscal years ended June 30, 2008, 2009, 2010 and 2011. The report did not include any findings or recommendations concerning the Board.

REAL ESTATE- UNFINISHED BUSINESS

REAL ESTATE- NEW BUSINESS

Mr. Josephy moved and Mr. Valengavich seconded a motion to go out of Open Session into Executive Session with Mr. Patrick O'Brien and Mr. Paul Hinsch from OPM and Ms. Erin Choquette from DAS invited to join the Board in executive session. The motion passed unanimously.

EXECUTIVE SESSION

PRB # 12-1000 **Transaction/Contract Type:** RE / Purchase & Sale
Origin/Client: DAS / DAS -- **Discussion Only - No Action Anticipated**
Statutory Disclosure Exemptions: 4b-23(e); 1-200(6) & 1-210(b)(7)

The Board commenced its discussion of the matter at 9:36 a.m. and concluded at 10:28 a.m.

Mr. Norman moved and Mr. Valengavich seconded a motion to go out of Executive Session into Open Session. The motion passed unanimously.

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OPEN SESSION

PRB # 12-291 **Transaction/Contract Type:** RE / Voucher
Origin/Client: DOT / DOT
Project Number: 092-522-002
Grantor: William Gonzalez
Property: 188 Greenwich Avenue, New Haven
Project Purpose: Reconstruction of I-95 over the West River in New Haven
Item Purpose: Administrative settlement for the acquisition of 590 ± SF of land and a 1,115 ± SF temporary work easement all for highway purposes with additional compensation for site improvements.

Staff reported that Project No. 92-522 involves widening I-95 in each direction beginning from the Amtrak bridge in West Have and ending just east of Howard Avenue in New Haven. The I-95 Bridge over Ella Grasso Boulevard will be replaced and widened; the Howard Avenue Bridge over I-95 will be replaced with a longer structure to accommodate the widening of the highway.

The subject property is an owner-occupied single family dwelling on a 0.23 acre site, located adjacent to elevated I-95. The Estimate of Compensation appraised the site at \$8.00/SF, or \$80,000 for the 0.23 acre site. The following compensation was recommended:

ACQUISITION ITEM	VALUATION	COST
Land	590 SF x \$8.00/SF =	\$4,720.00
Temporary work area easement	1,115 SF x \$8.00/SF x 10%	\$2,676.00
Contributory value of site improvements	Lump Sum (2% of site value)	\$1,600.00
TOTAL COST	\$8,996.00, say	\$9,000.00

The owner rejected the state’s Estimate of Compensation in the amount of \$9,000 because no award was given for severance. The owner believed that the project will cause his property to suffer a permanent loss of value because of the new exit ramp construction and the 20-foot wall so close to this home. Also, during construction he would lose the use of a secured, covered area (gazebo structure) and would have to move personal effects, including vehicles and a boat stored in the temporary work area easement.

DOT reasoned that the grantor may be successful in litigating a severance claim. The negotiation resulted in **\$15,000** to be paid as compensation for all damages, direct, indirect, temporary and or permanent, which may result from this acquisition. Staff recommended approval for the following reasons:

- The acquisition complies with Section 13a-73(c) of the CGS which governs the acquisition of property by the commissioner of transportation required for highway purposes.
- The administrative settlement of \$15,000 is supported by the EOC report prepared by DOT, by cost estimates for moving and storage costs, and by relieving the State of any litigation and costs to litigate that may have resulted in defense of a possible severance claim.

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PRB # 12-296 **Transaction/Contract Type:** RE / Voucher
Origin/Client: DOT / DOT
Project Number: 107-167-032
Grantor: Gregory Ecsedy, et al
Property: 254 Triangle Boulevard, Middlebury, CT
Project Purpose: Oxford Airport Federal Aviation Regulation, Part 150 Noise Study
Item Purpose: Acquisition of 0.46+/- acres of land, in fee, together with all improvements situated thereon, a "total take".

Staff reported that in January 2009 the Federal Aviation Administration (FAA) approved the Noise Compatibility Program (NCP) which recommended the voluntary acquisition of 72 single-family homes impacted by incompatible noise levels generated by the Waterbury-Oxford Airport. The 72 homes lie within the Runway Projection Zone, are adjacent to it, or are within certain decibel day night level (DNL) noise contours.

DOT proposes a voluntary total taking of this 0.46 acre (20,000 SF) parcel. The property is reported to be a well landscaped, mostly level lot improved with a raised-ranch style home (1966) in good condition. The gross living area is 1,034 sq. ft. above grade including 6 rooms with 3 bedrooms and 1 baths; with additional bathroom/laundry on the lower level basement. There is a one-car garage, under. There is a public sewer system and private water well. The zone is R-40, and the current use is a non-conforming, legal use. The property is well maintained and shows well with newer windows & vinyl siding.

These properties are appraised under the hypothetical condition requiring the appraiser to ignore the presence of the existing airport. Mr. DeLucco employed the Sales Comparison Approach and relied on one sale in Southbury and two sales in Middlebury of similar properties, occurring between 4/9/2012 and 8/20/2012. Prior to adjustment, the sale prices ranged from \$265,000 to \$301,350. After adjusting for location, site, age, condition, gross living area and design features, the sales indicated a value range from \$271,600 to \$285,350. Appraiser DeLucco assigned a value of **\$280,000**.

Staff recommended for the following reasons:

- DOT has authority under Section 13b-44 to establish and maintain state airports, and acquire any lands determined to be necessary to improve the adequacy of existing state airports.
- DOT has authority under Section 8-273a to provide relocation assistance and undertake the acquisition of real property on a federally funded project provided the acquisitions and relocation payments and assistance procedures comply with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act.
- The appraisal report prepared by DOT as of 9/21/12 supports the purchase price.

ARCHITECT-ENGINEER - UNFINISHED BUSINESS

ARCHITECT-ENGINEER – NEW BUSINESS

PRB# 12-290 **Transaction/Contract Type:** AE / New Contract
Project Number: BI-JD-341 **Origin/Client:** DCS/JUD
Contract: BI-JD-341-ARC

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Consultant: OakPark Architects, LLC
Property: Danbury Superior Courthouse, Danbury
Project Purpose: Window System Replacement Project
Item Purpose: New contract for the consultant to provide design services from schematic design through construction administration for the completion of a forensic investigation and the development of plans for the replacement of windows, leak repairs and any associated framing deficiencies.

In general the project involves the evaluation, repair and/or rehabilitation of the curtain wall system at Danbury Superior Courthouse. The overall project scope will include the forensic investigation of the existing curtain wall system in an attempt to determine the origin of ongoing leaks in addition to the condition of the steel framing system. The final design documents shall include a plan for the replacement of the window glazing and plan to address any framing deficiencies. The project shall be initiated while the court is occupied for normal business and fully functional.

In August 2011 the Department of Construction Services (“DCS”) issued a Request for Qualifications (RFQ) for *Architect & Consultant Design Teams* related to the **Danbury Superior Court Window System Replacement Project**. DCS elicited eleven (11) responses to the advertisement of which all of the respondents except one were considered “responsive”. As such DCS evaluated ten (10) submittals and after completion of the internal review process, four firms were selected for short-listed interviews. At the conclusion of the process DCS identified OakPark Architects, LLC (“OPA”) as the most qualified firm.

This contract is for Architect/Engineer Consultant Design Team Services from schematic design until the completion of construction. The compensation rate for this basic service is **\$166,600** which is also the total fee as the contract does not include the use of specialty sub-consultants or additional services. As such the total proposed contract fee of **\$166,600** for project A/E design services is equivalent to 8.30% of the construction budget. SPRB Staff recommended approval of the contract.

OTHER BUSINESS

The Board took the following votes in Open Session:

PRB FILE #12-290 – Mr. Norman moved and Mr. Valengavich seconded a motion to approve PRB File #12-290. The motion passed unanimously.

PRB FILE #12-291 - Mr. Valengavich moved and Mr. Norman seconded a motion to approve PRB File #12-291.

PRB FILE #12-296 - Mr. Millstein moved and Mr. Norman seconded a motion to approve PRB File #12-296.

The meeting adjourned.

APPROVED: _____ **Date:** _____
Bruce Josephy, Secretary